

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**31 Inc.  
100 Enterprise Drive  
Newcomerstown, Ohio 43832**

**ATTENTION:**

**Paul Clark  
President**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring 31 Inc. (or you) to submit certain information about the facility at 100 Enterprise Drive, Newcomerstown, Ohio. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

31 Inc. owns and operates an emission source at the Newcomerstown, Ohio facility. We are requesting this information to determine whether your emission source is complying with the Ohio State Implementation Plan and the CAA.

31 Inc. must send all required information to:

Attn: Compliance Tracker, AE-18J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

31 Inc. must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”

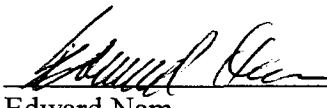
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject 31 Inc. to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Molly Smith at (312) 353-8773.

2/22/17  
Date

  
\_\_\_\_\_  
Edward Nam  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

## **Appendix B**

### **Information You Are Required to Submit to EPA**

31 Inc. must submit the following information for the facility at 100 Enterprise Drive in Newcomerstown, Ohio (facility) pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within 30 days from your receipt of this Request.

1. Provide a copy of each current air permit issued to 31 Inc. for the facility by the Ohio Environmental Protection Agency (OEPA), including, but not limited to, permits-to-install, state permits-to-operate, and Part 70 (Title V) Operating Permits.
2. Provide copies of any applications for permits-to-install, including any revised or modified applications, submitted to OEPA for the construction of the following units:
  - a. R001 – Coating Line #1;
  - b. R002 – Coating Line #2; and
  - c. R003 – Modeled Rubber Plug Coating Process and Drying Oven.
3. Provide a process flow diagram and photographs of units R001, R002, and R003. For each process flow diagram, include a detailed narrative process description to explain the diagram. For each photograph, provide a coded diagram/map to clearly identify the location of the image in the photograph within the facility. Photographs should correspond to each of the process stages described in the process flow diagram. Photographs must include images of the trichloroethylene application and capture process areas.
4. Provide copies of all stack testing, internal audits, emissions test runs, emissions characterizations, or emissions studies, conducted or attempted at the facility for the period of January 1, 2006 through the date that you receive this request. Include results of any Method 24 or formulation testing on coatings, adhesives, and cleanup materials used at the facility.
5. Provide copies of any deviation, excess emissions report, or equivalent notification provided to OEPA from January 1, 2013 to the date that you receive this request.
6. Provide any documentation of periods of time when you did not maintain 100% transfer or capture of all solids generated, when coatings are being sprayed, at R003.
7. Provide a list of all coatings, adhesives, and cleanup products used at the facility since January 1, 2013 to the date you receive this request. For each material listed provide the associated Safety Data Sheet (SDS). Ensure that each SDS clearly identifies the volatile

organic compound (VOC) content for each cleanup material used, as applied (pounds per gallon), excluding water and exempt solvents.

8. For unit R003, provide the following information on a *monthly* basis from the installation of the line to the date that you receive this request. Provide the information in Microsoft Excel format.
  - a. The amount of each coating applied (gallons);
  - b. The VOC content for each coating, as applied (pounds per gallon);
  - c. The amount of cleanup material used minus the amount of cleanup material disposed (gallons);
  - d. The VOC content for each cleanup material used, as applied (pounds per gallon);
  - e. The total VOC emissions from all coatings applied and cleanup materials used (pounds); and
  - f. The rolling, 12-month sum of the total VOC emissions (Item 8.e. above).
9. For units R001 and R002, provide the following information on a *daily* basis from January 1, 2013 to the date that you receive this request. Provide the information in Microsoft Excel format.
  - a. The name and identification number of each batch of coating (as applied);
  - b. The amount of each coating applied (gallons);
  - c. The VOC content for each coating, as applied (pounds per gallon), excluding water and exempt solvents;
  - d. The amount of cleanup material used minus the amount of cleanup material disposed (gallons);
  - e. The VOC content for each cleanup material used, as applied (pounds per gallon), excluding water and exempt solvents;
  - f. The daily total VOC emissions from all coatings applied and cleanup materials used (pounds);
  - g. The monthly sum of the total VOC emissions (Item 9.f. above); and
  - h. The rolling, 12-month sum of the total VOC emissions (Item 9.g. above).
10. Provide copies of all annual emissions reports, for VOC emissions only, submitted to OEPA from January 1, 2003 to the date that you receive this request.
11. Provide a table listing all capture and control devices used by the facility to control VOC emissions. In the table describe the assumed or estimated capture efficiencies for each capture device, the assumed or estimated destruction efficiencies for each control device, and the associated emission unit(s) for all capture and control devices. Please include documentation of the source or basis for the assumed or estimated capture and control efficiencies.
12. For the period January 1, 2010 to the date that you receive this request, provide complete copies of all written correspondence, determinations, documents, or other

communications between you and OEPA concerning Title V major source status and Prevention of Significant Deterioration (PSD) review related to the facility.



## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

## **Determining Whether the Information Is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by

Certified Mail, Return Receipt Requested, to:

Paul Clark  
President  
31 Inc.  
100 Enterprise Drive  
Newcomerstown, Ohio 43832

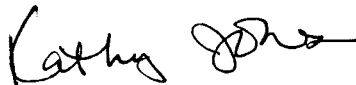
I also certify that I sent a copy of the Request to Provide Information Pursuant to the

Clean Air Act by E-mail to:

Bob Hodanbosi  
Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
bob.hodanbosi@epa.ohio.gov

Lisa Duvall  
Southeast District Office  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
Lisa.Duvall@epa.ohio.gov

On the 23<sup>rd</sup> day of February 2017.



Kathy Jones, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7009 1680 0000 7647 0018